

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DARRYL ORRIN BAKER,)	
)	Civil Action No. 05-147E
Plaintiff)	
)	
v.)	
)	
UNITED STATES OF AMERICA)	JUDGE McLAUGHLIN
GOVERNMENT OFFICIALS AT)	MAGISTRATE JUDGE BAXTER
FCI-McKEAN, WARDEN, OFFICER)	
B. WESEMEN, MEDICAL DEPARTMENT)	ELECTRONICALLY FILED
)	
Defendants.)	

**DEFENDANT'S MOTION FOR ENLARGEMENT OF TIME TO
FILE A MOTION TO DISMISS, OR IN THE ALTERNATIVE,
MOTION FOR SUMMARY JUDGMENT**

AND NOW, come Defendants, United States of America, Government Officials at FCI-McKean, Warden, Officer B. Wesemen, Medical Department, by their attorneys, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania, and Paul E. Skirtich, Assistant United States Attorney for said district, and, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, file the following Motion for Enlargement of Time to File a Motion to Dismiss, or in the Alternative, for Summary Judgment. In support of his Motion, Defendants respectfully aver as follows:

1. On December 4, 2007, this Court ordered Defendants to file dispositive motions responding to Plaintiff's second Amended Complaint by January 18, 2008. Heavy litigative demands require an extension of time.

2. Defendant respectfully requests an additional seven (7) days to file this potentially dispositive motion, or by January 30, 2008.

WHEREFORE, based upon the above, Defendants, United States of America, Government Officials at FCI-McKean, Warden, Officer B. Wesemen, Medical Department, respectfully request that the Court issue an Order enlarging the time to file Defendants' Motion to Dismiss, or in the Alternative, Motion for Summary Judgment by seven (7) days, to January 30, 2008, and to extend Plaintiff's response by the same amount of time.

Respectfully submitted,

MARY BETH BUCHANAN
United States Attorney

s/ Paul E. Skirtich
PAUL E. SKIRTICH
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U.S. Post Office & Courthouse
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Pittsburgh, PA 15219
(412) 894-7418
PA ID No. 30440

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within Defendant's Motion for Enlargement of Time to File a Motion to Dismiss, or in the Alternative, Motion for Summary Judgment was electronically filed and/or served by postage-paid U.S. Mail to and upon the following:

Darryl Orrin Baker
USP Lewisburg
U.S. Penitentiary
Post Office Box 2000
Lewisburg, PA 17837

s/Paul E. Skirtich
PAUL E. SKIRTICH
Assistant U.S. Attorney

Dated: January 18, 2008